

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TRAVELERS CASUALTY AND SURETY COMPANY
as Administrator for RELIANCE INSURANCE
COMPANY,

Plaintiff,

-against-

DORMITORY AUTHORITY - STATE OF NEW YORK,
TDX CONSTRUCTION CORP. and KOHN PEDERSEN
FOX ASSOCIATES, P.C.,

Defendants.

DORMITORY AUTHORITY OF THE STATE OF NEW
YORK and TDX CONSTRUCTION CORP.,

Third-Party Plaintiffs,

-against-

TRATAROS CONSTRUCTION, INC.,

Third-Party Defendant.

TRATAROS CONSTRUCTION, INC. and TRAVELERS
CASUALTY AND SURETY COMPANY,

Fourth-Party Plaintiffs,

-against-

CAROLINA CASUALTY INSURANCE COMPANY, *et*
al.,

Fourth-Party Defendants.

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07 Civ. 6915 (DLC)
ECF CASE

**DEFENDANT KOHN
PEDERSEN FOX
ASSOCIATES, P.C.'S
REPLY TO THE
COUNTERCLAIMS AND
CROSS-CLAIMS OF
FOURTH-PARTY
DEFENDANT
HARLEYSVILLE
INSURANCE COMPANY
OF NEW JERSEY**

*****Electronically Filed*****

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KOHN PEDERSEN FOX ASSOCIATES, P.C.,	:
Third-Party Plaintiff,	:
-against-	:
WEIDLINGER ASSOCIATES CONSULTING	:
ENGINEERS, P.C., CASTRO-BLANCO PISCIONERI	:
AND ASSOCIATES, ARCHITECTS, P.C.,	:
ARQUITECTONICA NEW YORK, P.C., COSENTINI	:
ASSOCIATES, INC., CERMAK, PETERKA PETERSEN,	:
INC. JORDAN PANEL SYSTEMS CORP., TRATAROS	:
CONSTRUCTION, INC. and LBL SKYSYSTEMS	:
(U.S.A.), INC.,	:
Third-Party Defendants.	:
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Defendant Kohn Pedersen Fox Associates, P.C. ("KPF"), by its attorneys, Zetlin & De Chiara, LLP, as and for its Reply to the Counterclaims and Cross-Claims for Contribution and Indemnification of Fourth-Party Defendant Harleysville Insurance Company of New Jersey s/h/a Harleysville Mutual Insurance Company ("Harleysville"), respectfully alleges and says as follows:

1. The allegations of Harleysville's Counterclaims and Cross-Claims state a conclusion of law to which no response is required. To the extent that a response is required, KPF denies each and every allegation set forth in Harleysville's Counterclaims and Cross-Claims with respect to liability of KPF and otherwise denies knowledge or information sufficient to form a belief as to the alleged liability of any other party.

AS AND FOR A FIRST AFFIRMATIVE DEFENSE

2. The Counterclaims and Cross-Claims fail to state a claim against KPF upon which relief may be granted.

WHEREFORE, Defendant Kohn Pedersen Fox Associates, P.C. demands an
Order,

- (a) Dismissing the Counterclaims and Cross-Claims of Harleysville in their entirety;
- (b) Awarding its attorneys' fees, disbursements and costs incurred in defending Harleysville's Counterclaims and Cross-Claims; and
- (c) Granting such other and further relief as to this Court shall seem just and proper.

Dated: New York, New York
February 6, 2008

ZETLIN & DE CHIARA LLP

Attorneys for Defendant

Kohn Pedersen Fox Associates, P.C.

s/David Abramovitz

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